

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Fiber Optic Designs, Inc. and
Holiday Creations, Inc.,

Plaintiffs,

Civ. No. 05-660 (RHK/JSM)
ORDER

v.

Seasonal Specialities, LLC,

Defendant.

Plaintiffs' Motion for Preliminary Injunction (Doc. No. 3) is scheduled to be heard on Wednesday, June 22, 2005 at 8:00 a.m. The Court is in receipt of Plaintiffs' Reply in Support of Plaintiffs' Motion for Preliminary Injunction (Doc. No. 29). In Section II.C. of the Reply memorandum, Plaintiffs make certain arguments as to "Seasonal's Erroneous Priority Date Calculation" and, in so doing, they refer to "US Provisional Application 60/119,804," "US Application 09/339,616," and the "'019 Patent." (See Reply Mem. at 12-15.)

To assist in the resolution of Plaintiffs' Motion **IT IS ORDERED** that:

1. Plaintiffs shall serve and file forthwith full copies of (a) "US Provisional Application 60/119,804"; (b) "US Application 09/339,616"; and (c) the "'019 Patent";

2. Defendant shall serve and file by noon Monday, June, 20, 2005, a sur-response memorandum not to exceed 2,000 words addressing only Plaintiffs' arguments regarding the priority date calculation raised in the Reply memorandum; and
3. The hearing date for Wednesday, June 22, 2005 at 8:00 a.m. is not changed.

Dated: June 15, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge